

THE CONJUNCTION OF AMERICAN POLITICS AND SOCIAL CONTRACT THEORY

An Undergraduate Research Scholars Thesis

by

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ABSTRACT

The Conjunction of American Politics and Social Contract Theory. (May 2014)

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Using American political party platforms, I will identify and analyze the influence of social contract theory in contemporary American politics. The relationship between the Lockean model of government and the Hobbesian role of government in American politics is intriguing and complex, and by identifying their influence in the rhetoric of the political platforms, I hope to analyze the deeper implications of a political system riddled with traditional social contract theory.

DEDICATION

To the politically disheartened. May we each find our own utopia.

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CHAPTER I

INTRODUCTION

Introduction

In the ever increasingly secular world sparked by the Enlightenment, philosophers used reason as the great universal commonality of humankind. Reason and all of its promises are the central focuses of philosophical thought. Many writers and philosophers hoped to ground societal construction and organization in reason. The belief promised that reason would guide our thoughts to a better, brighter world. When reason created doubt in the superstition and mythology of religious establishments, the divine right of kings, from which the monarchy derived its power and legitimacy, dissolved. The Enlightenment age inspired the overthrow of many monarchies, especially during the French Revolution and American Revolution. Theories like social contract theory attempted to legitimize the authority of government and law by hypothesizing the nature of man and applying a social state to the savage. Generally, social contract theory used the protection of the inalienable rights of humans to justify the varying ideologies under which humans consent to the social contract.

Writers in the British Enlightenment were especially interested in the social contract and wrote extensively in the subject. The work of these theorists, primarily that of John Locke, acted as an integral instrument to the development of the American state. His ideas of separation of powers and protection of property found their home in the political development of America, namely the Constitution, and have maintained themselves in structure and discourse. One way in which Locke's ideas have held in political discourse is through the use of a legal philosophy of constitutional interpretation called strict constructionism. Through strict construction, political

discourse and judicial decisions are strictly limited by the indications of the Constitution and the literal interpretations of legal text. This yields a sort of deference to the authority of that document. Another prominent social contract theorist, Thomas Hobbes, is present in modern political discourse. His ideas about the precariousness of the social contract and the role of the sovereign are prominent, despite his absence in the ideas of the founders.

Objectives

- ☐ To test contemporary American political agendas through the lens of social contract theory. Some specific questions include:
 - ☐ What assumptions do the parties assert as characteristics of the American people?
 - ☐ How does social contract theory manifest itself in political rhetoric?
 - ☐ Specifically, how does Thomas Hobbes's idea of the sovereign manifest in political rhetoric?
 - ☐ Specifically, how does deference to the founders allow for the manifestation of Locke's political theory?
- ☐ To engage in the further implications of social contract theory's presence in American politics in light of the Enlightenment's failures.

Limitations

- ☐ Political platforms can only reveal the rhetorical strategies of the political parties and can only partially contribute to knowledge of their policy making.
- ☐ Political parties tend to be more moderate during election years, which may create some similarities between the platforms.

Methodology

In order to further explore this topic, my project will function as a rhetorical analysis based on the ideologies of America's two main political parties. I will use the political platforms from the Presidential Election of 2012. The platforms will each provide a forum of ideas from which I will determine their conjunction with the ideas of Hobbes and Locke. I will derive comparisons and analyze their adherence to social contract theory.

I will begin with a literature review which summarizes the ideas of Hobbes and Locke. Then, I will present examples of Lockean and Hobbesian influence from both platforms in four main arenas: deference to the founders, labor, foreign relations and the role of the sovereign, and economic policy.

CHAPTER II

LITERATURE REVIEW

Covenants without Swords Are but Words

Covenants, as introduced by Hobbes, do not appear to be possible considering his assumption on the natural state of human beings. In light of this, a deeper force of fear and consent must be present to force the legitimacy of a civil condition.

The meaning of Hobbes' statement that "covenants without swords are but words" (Hobbes, 106) stems from his ideas on the nature of human beings. In Part I of *Leviathan*, he illustrates a "condition of war" (80), injustice, and mistrust within the state of nature. He surmises that all human beings are equal to one another in the sense that all human beings have the capacity to harm one another. Regardless of strength or cunning, should a human being want to hurt other human beings, their opportunities to act out this aggression are possible and likely. Hobbes' believes that not only are humans capable of violence but it is integral to individual survival. It is through the destruction of other human beings that one can ensure their own self-preservation. Hobbes defines covenants as a situation when "one of the contractors [of a transference of right] may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time" (82). He goes on to describe the difficulty associated with covenants. They are directly adverse to Hobbes' concept of individual human nature. "...that [covenant] of men is by covenant only, which is artificial; and therefore, it is no wonder if there be somewhat else required (besides covenant) to make their agreement constant and lasting, which is a common power to keep them in awe, and to direct their actions to the common benefit" (109). Hobbes admits the disconnect of human nature of the nature necessary for a successful covenant. The

idea that “covenants without swords are but words” recognizes the violent nature of humans and illustrates the idea that without some sort of higher motive, people cannot be trusted to uphold their half of a contract.

Those ideas which legitimize the covenants required for a government are fear and consent. For Hobbes, the progression from the natural state to a civil condition is a result of the passions of man. Hobbes writes, “The passions that incline men to peace are fear of death, desire of such things as are necessary to commodious living, and a hope by their industry to obtain them” (78). He asserts that it is the desire for self-preservation which moves humans to commune. Passions act as an instrument to drive reason to action, and the particular passion here is fear. In order to achieve peace, power must be transferred to an appropriate person. This power is transmitted to a sovereign “by the consent of the people assembled” (110). After the people consent they have bound themselves to the social contract of the sovereign. People expect their sovereign to provide them with protection from death, for example “...it belongeth of right to whatsoever man or assembly that hath the sovereignty, to be judge of both of the means of peace and defense...” (113). In exchange, Hobbes put very little limit on the power of the sovereign. When looking at Hobbes’ ideas of the nature of humanity, voluntary covenants might seem impossible. But through the use of consent and fear, Hobbes’ presents a legitimate government with a head of absolute power.

Locke

The ideas Locke presents in *The Second Treatise of Government* made one of the biggest impacts on the founding of America. In it, he suggests the maintenance of property rights as the primary reason for humanity to progress from a natural to a civil state. In the process, individuals preserve their property rights, with extra protection from the separated branches of government, but transfer to the government their right to punish violators of their property rights.

“God gave the world to men in common; but since he gave it them for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed he meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational...” (Locke, 21). For Locke in a state of nature, resources are communal and all people have a right to exert their labor on those resources. Once labor has been exerted however, the resource leaves the communal realm and becomes the property of an individual. “...for the beginning of property, in what was before common...is by the labour that removes it out of that common state nature left it in, made his property, who takes that pains about it” (20). Reason dictates that humans have an inherent right to own that property which is necessary to sustain their life. This is the reason that the preservation of property is such an important concept for Locke. Unlike Hobbes, Locke does not believe that the natural state is synonymous with a state of war. This war occurs when an individual suspends another’s property rights.

In the completely natural state, human beings are free. “The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions...” (9). Locke believes that in general human nature is good, and

for the most part people will abide by natural laws appropriately. It is the law of nature that “all men may be restrained from invading others rights” (9). Individuals police those who do not follow the same rules of reason and equity of other men. This law of nature allows people to punish those who threaten humanity by suspending the rights of people.

When humanity shifts to a civil condition, humans must conform to laws of civil society and forfeit the right to punish offenders of the laws of nature. The government promotes the societal good of the people and continues to protect many of the rights afforded people in the state of nature, for example “The great and chief end, therefore, of men’s uniting into common-wealths, and putting themselves under government, is the preservation of property” (66). He organizes this government’s duties to three sets of powers: one to establish law, one to serve as an indifferent judge, and one to “give it due execution” (66). These segments eventually become the inspiration for America’s separation of powers and three branches of government.

The theme of property rights is vital for Locke. The preservation of these rights serves as the justification of transferring to a social condition and is the continuous link between the natural and civil states. Punishing those who break the natural law of property becomes a responsibility of the government and is forfeited by the individuals who had once had the responsibility in the natural state.

CHAPTER III

PRESENCE

Evidence of the influence of social contract theory can be found throughout the political platforms most commonly in three arenas. First though, I focus on the way that the Constitution is revered by political rhetoric as a way to legitimize and affirm the political discourse of the parties.

Deference to Founders

Strict construction, the legal philosophy of constitutional interpretation, allows political discourse to continue to along a Lockean ideology. This is most evident in the Republican Platform; the document is even dedicated to the “Wisdom of the Framers.” (Republican Platform, 2012). They regard the Constitution with the gravity of a holy text, saying:

We possess an owner’s manual: the Constitution of the United States, the greatest political document ever written. That sacred document shows us the path forward. Trust the people. Limit government. Respect federalism. Guarantee opportunity, not outcomes. Adhere to the rule of law. Reaffirm that our rights come from God, are protected by government, and that the only just government is one that truly governs with consent of the governed. (Republican)

The importance of adherence to Constitutional principles is apparent to the Republican Party. However, the Democratic Party subtly affirms the authority of the Constitution by using dependent clauses like “as the Constitution allows”. In this way, the party confirms their respect for the document’s authority.

Labor

A driving force in John Locke's social contract is the importance of work. The product of labor is not just the result of one's work, but the work, everything from the laboring process to the creation itself is a result of one's self. "The labour of his body, and the work of his hands, we may say, are properly his." (Locke) These values are shared by the political parties and affect the way that they parties relate to the American people. The puritanical work ethic of the modern day American people is a primary assumption that the parties assert. The Republican Party only reveals an assumption of the nature of American people:

The American people possess vast reserves of courage and determination and the capacity to hear the truth and chart a strong course. They are eager for the opportunity to take on life's challenges and through faith and hard work, transform the future for the better. (Republican)

However, the Democratic Party advocates a Lockean idea of the exchange of labor.

We gather to reclaim the basic bargain that built the largest middle class and the most prosperous nation on Earth – the simple principle that in America, hard work should pay off, responsibility should be rewarded, and each one of use should be able to go as far as our talent and drive take us. (Democratic)

Foreign Relations and the Role of the President

In Leviathan, Hobbes sees the sovereign as the only way to preserve oneself in the war like state of nature; the parallel here is the transition and the role of government as the protector and preserver of human rights from a constantly threatening state of war. Both parties support a strong military and share a mistrust of other nations and see a large military as the only deterrent

of attack and only way to keep peace. Because they are electing an incumbent, the Democratic Party creates this imagery of the current administration as a great protector of threats from outside the government. This imagery is very much related to the almighty sovereign in Leviathan who protects the people from one another. In foreign relations, we see other nations especially those with nuclear arms cast as the imminent threats who the government would protect us from. “He is enabled to conform the wills of them all to peace at home and mutual aid against their enemies abroad.” (Hobbes)

President Obama and the Democratic Party know that there is no greater responsibility than protecting the American people... Because of steps we have taken, the United States is leading once again, and America is safer, stronger, and more secure than it was four years ago. (Democratic)

The Republican Party also looks at the threat of other nations with the same mistrust that we see in Leviathan.

We proudly associate ourselves with those Americans of all political stripes who, more than three decades ago in a world as dangerous as today’s came together to advance the cause of freedom. (Republican)

But there is a sense of unity among the American people in the same way that Hobbes says that groups will form against a common enemy.

As we work to uphold our obligations under the treaty by reducing stockpiles [of nuclear weapons] and recognizing the rights of all rule-abiding states to peaceful nuclear energy, we will insist that countries without nuclear weapons comply with their obligations not to develop them, and we will ensure that violators face real consequences. (Democratic)

Economic Policy

Because of the state of the economy in 2012, the parties imply an analogy of the economy as a state of war. Again, we see the economy treated as right which might be stripped from the people, and another arena in which the sovereign might be a protector. There is a parallelism to the perpetrator for economic weakness.

For the Democratic Party, blame rests with the Republicans, “We will continue to stand up to Republicans working to take away the benefits and protections that are already helping millions of Americans every day.” (Democratic) Likewise, the Republican Party is the opposing force for the Republican Party. “The current Administration is weakening America at home through anemic growth, high unemployment, and record-setting debt.” (Republican)

CHAPTER IV

IMPLICATIONS

With various failures of the Enlightenment, the reliance of Enlightenment doctrine in America's political discourse may be problematic. Carl Schmitt suggests that the sovereign is the authority on deciding the exception, the moment of distancing their action from the rule of law. When the role of the President as the protector influences the decisions of policy makers, they have chosen their exception and deferred away from the original intent of the Lockean influence. The tension between these two plays a key role in political debate. The reasons why political leaders would be influenced to engage in the Hobbesian exception rather than the Lockean intent can negatively affect public perception of leaders and groups.

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